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DATE: September 21, 2004

TO: Commissioner for Patents
Attn: Examiner Sarah K. Webb
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Glenn M. Seager

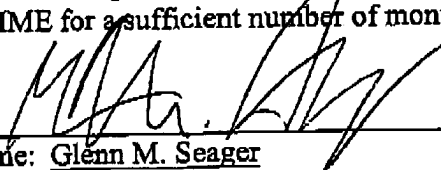
OUR REF: 1001.1694101
TELEPHONE: 612.359.9312

Total pages, including cover letter: 3**PTO FAX NUMBER 703-872-9306**

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| Title of Document Transmitted: | <u>Response</u> |
|--------------------------------|-------------------------|
| Applicant: | <u>Kellelt et al.</u> |
| Serial No.: | <u>10/698,760</u> |
| Filed: | <u>October 30, 2003</u> |
| Group Art Unit: | <u>3731</u> |
| Our Ref. No.: | <u>1001.1694101</u> |
| Confirmation No. | <u>2840</u> |
| Customer No. | <u>28075</u> |

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By: 
Name: Glenn M. Seager
Reg. No.: 36,926

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Name: JoAnn Lindman


Signature

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES KELLETT et al.

Examiner: Sarah K. Webb

Serial No.: 10/698,760

Confirmation No.: 2840

Filed: OCTOBER 30, 2003

Group Art Unit: 3731

Docket No.: 1001.1694101

Customer No.: 28075

Title: EMBOLECTOMY DEVICES

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.06(d): The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 703-872-9306, on this 21 day of September, 2004.

By _____


JoAnn Lindman

Dear Sir:

This Communication is in response to the Restriction Requirement mailed July 6, 2004, with a shortened statutory period set to expire on October 6, 2004. This response is being filed within the set period such that no extension of time is necessary.

Application No. 10/698,760
Reply to Restriction Requirement dated July 6, 2004

REMARKS

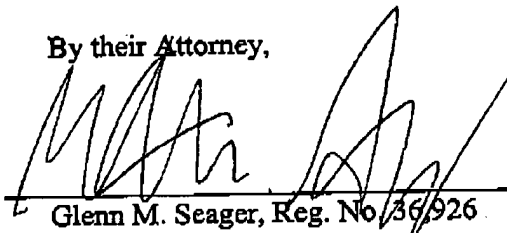
Applicants have carefully reviewed the Office Action dated July 6, 2004. In response to the Examiner's Restriction Requirement, Applicants hereby elect to prosecute species C of Group I corresponding to claims 38-51. This election is made without traverse. Furthermore, no change of inventorship is necessary with this election.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance and issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,
JAMES KELLETT et al.

By their Attorney,

Date: Sept 21, 2004


Glenn M. Seager, Reg. No. 36,926

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